

Application No. 09/605,085

Response to Office Action of August 26, 2004

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REMARKS

In the Office Action of August 26, 2004, claims 1-7, 9-19, 21 and 22 stand rejected. In the Office Action Summary, claims 3 and 5 were listed as objected to. However, a close reading of the Office Action reveals that the objected to claims are 3 and 7 (for example, that is specifically stated on page 12 of the Office Action). Examiner D'Agosta confirmed that claims 3 and 7 are the objected to claims via a phone call on September 28, 2004. In this response claim 1 has been amended to include the limitations of claim 3. Claims 3 and 13-22 have been cancelled. New claims 23-30 have been added. Reconsideration and allowance of all pending claims are respectfully requested in view of the following remarks. No new subject matter is being added by this response.

I. ALLOWABLE CLAIMS

In the Office Action of August 26, 2004, the Examiner noted that claims 3 and 7 would each be allowable if written in independent form and including all limitations from the base claim and any intervening claims.

A. Claim 3.

Claim 1 has been amended to include the limitations of claim 3, which originally was dependent solely on claim 1. Therefore, claim 1 is an independent claim, which includes objected to claim 3 and claim 1, the base claim (there are no intervening claims). Therefore, claim 1, as amended, is in condition for allowance.

Claims 2, 4-7 and 9-12 depend from allowable claim 1; therefore, claims 2, 4-7 and 9-12 are allowable.

B. Claim 7.

New claim 23 is claim 7, rewritten in independent form, and includes the limitation of the claim 1, the base claim, and claim 6, the intervening claim. Therefore, claim 23 is in condition for allowance.